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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------|-------------|----------------------|---------------------|------------------|
| 10/015,630 | 12/17/2001 | Francesco Casuscelli | 217471US0 | 7565 |

7590 03/09/2005

Peter I Bernstein
Scully Scott Murphy & Presser
400 Garden City Plaza
Garden City, NY 11530

EXAMINER

EPPERSON, JON D

ART UNIT

PAPER NUMBER

1639

DATE MAILED: 03/09/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

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| APPLICATION NO./ CONTROL NO. | FILING DATE | FIRST NAMED INVENTOR / PATENT IN REEXAMINATION | ATTORNEY DOCKET NO. |
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| ART UNIT | PAPER |
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3/6/2005

DATE MAILED:

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Commissioner of Patents and Trademarks

Non-Responsive Amendment (Bonafide)

The reply dated 11/4/2004 is not fully responsive to the prior Office action because of the following omission(s) or matter(s): Applicants did not indicate which of the claims are readable upon the elected species in accordance with MPEP § 809.02(a) (e.g., see 6/2/04 Restriction Requirement, page 10, paragraphs 20 and 21).

The examiner also notes that the appropriate fees must be paid to extend the time period for response.

Since the above-mentioned reply appears to be bona fide, applicant is given ONE(1) MONTH or THIRTY (30) DAYS from the mailing date of this notice, whichever is longer, within which to supply the omission or correction in order to avoid abandonment. EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 CFR 1.136(a).

Any inquiry concerning this communication should be directed to Examiner Jon D. Epperson, Ph. D., Art Unit 1639, whose telephone number is (571) 272-0808.

Any inquiry of a general nature or relating to the status of this application should be directed to the Technology Center receptionist whose telephone number is (571) 272-1600.

Jon D. Epperson Ph.D.
Patent Examiner